

# EXHIBIT B

## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WISCONSIN

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SHANNON C. PRINCE,

Plaintiff,

Case No.: 2:18-CV-01465-DEJ

v.

APPLETON AUTO, LLC, *et al.*,

Defendants.

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### DEFENDANTS' FIRST SET OF INTERROGATORIES TO PLAINTIFF

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TO: PLAINTIFF SHANNON C. PRINCE  
c/o  
Shannon D. McDonald, Esq.  
MCDONALD & KLOTH, LLC  
1818 N. Farwell Avenue  
Milwaukee, WI 53202

*Attorneys for Plaintiff.*

Defendants, Appleton Auto, LLC, Applecars, LLC, and Robert Scott McCormick, by their attorneys and pursuant to Federal Rule of Civil Procedure 33, hereby request that Plaintiff, Shannon C. Prince, serve his responses in writing and under oath to the following interrogatories, on Defendants' attorneys at the offices of Kohner, Mann & Kailas, S.C., Washington Building, Barnabas Business Center, 4650 N. Port Washington Road, Milwaukee, WI 53212-1059, within thirty days after being served with these interrogatories.

### **DEFINITIONS AND INSTRUCTIONS**

For purposes of these interrogatories the following definitions and instructions shall apply:

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1. The term “Person” is defined as any natural person or any business, legal or governmental entity, or association.
2. “Employee” means any past or present director, officer, partner, employee, consultant, agent or representative.
3. “Prince” shall mean Plaintiff Shannon C. Prince, and any agent, Person or representative, including attorneys, acting on his behalf.
4. “You” or “Your” shall refer to Prince.
5. “AALLC” shall mean Defendant Appleton Auto, LLC, and any Employee, agent, Person or representative, including attorneys, acting on its behalf.
6. “Appleton Auto” or “Applecars” shall mean Defendant Applecars, LLC, and any Employee, agent, Person or representative, including attorneys, acting on its behalf.
7. “McCormick” shall mean Defendant Robert Scott McCormick, and any agent, Person or representative, including attorneys, acting on his behalf.
8. “Defendants” shall refer to AALLC, Appleton Auto, and/or McCormick, interchangeably.
9. “The Litigation” shall refer to the case pending in the United States District Court for the Eastern District of Wisconsin, captioned *Shannon C. Prince v. Appleton Auto, LLC, et al.*, and bearing the Case Number 2:18-CV-01465 (DEJ).
10. “Amended Complaint” shall mean the Amended Complaint filed in the Litigation on January 28, 2019.
11. “Answer” shall mean refer to AALLC’s, Applecars’, and/or McCormick’s Answer to the Amended Complaint filed in the Litigation, interchangeably.

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12. The connectives “and” and “or” shall be construed both conjunctively and disjunctively.

13. “Any” and “all” shall each be construed as “any and all” and shall include “each” and “every.”

14. The singular of any word shall include the plural, and the plural of any word shall include the singular.

15. If an objection is made to any interrogatory, state with specificity all grounds for the objection.

16. In the event that You refuse to answer, on the ground of privilege, any interrogatory, identify the nature of the privilege that is being claimed.

17. If You answer all or any part of any interrogatory by referring to business records, identify all such records by specifying in sufficient detail the location and identity of the documents so that the Defendants may locate and identify them as easily as You could, as required by Federal Rule of Civil Procedure 33(d)(1).

18. Unless otherwise specified, these Requests concern the time period of January 1, 2017, to the date these Requests were served.

19. In responding to these interrogatories, You must answer each interrogatory separately and fully in writing, and You must seasonably supplement Your responses whenever necessary in accordance with Fed. R. Civ. P. 26(e).

### **INTERROGATORIES**

Defendants requests that Plaintiff answer the following interrogatories:

1. Identify all individuals who have knowledge, or claim to have knowledge, concerning the number of employees that AALLC, Applecars, or McCormick had in 2016 or 2017.

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2. Identify all individuals who have knowledge, or claim to have knowledge, concerning the allegations made in any of paragraphs 4 or 32-45 of the Amended Complaint.

3. With respect to each Person identified in response to Interrogatories 1 or 2 above, set forth in detail the knowledge they claim to have and the basis/source of that knowledge.

4. Identify and describe the complete factual basis of Your allegation in paragraph four of the Amended Complaint that Appleton Auto, LLC (misidentified as “Apple Auto, LLC”), is a d/b/a of Applecars, LLC, identify any documents supporting or refuting Your factual basis, and identify any individuals with information supporting or refuting Your factual basis.

5. Identify and describe the complete factual basis of Your allegation in paragraph 32 of the Amended Complaint that “Applecars had fifteen (15) or more employees for twenty (20) or more calendar weeks in 2017 and/or 2016,” identify any documents supporting or refuting Your factual basis, and identify any individuals with information supporting or refuting Your factual basis.

6. Identify and describe the complete factual basis of Your allegation in paragraph 33 of the Amended Complaint that “Applecars and/or McCormick maintains and operates several car dealerships in Wisconsin under a common tradename, ‘199ride’ and/or ‘199ride.com,’” identify any documents supporting or refuting Your factual basis, and identify any individuals with information supporting or refuting Your factual basis.

7. Identify and describe the complete factual basis of Your allegation in paragraph 39 of the Amended Complaint that “Appleton Auto, Green Bay Auto, LaCrosse Auto, Antigo Auto, and Wausau Auto all fall within or use the tradenames ‘199ride,’ ‘199ride.com,’ and ‘Local Cars & Trucks 199ride.com,’” identify any documents supporting or refuting Your factual basis, and identify any individuals with information supporting or refuting Your factual basis.

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8. Identify and describe the complete factual basis of Your allegation in paragraph 40 of the Amended Complaint that “Appleton Auto, Green Bay Auto, LaCrosse Auto, Antigo Auto, and Wausau Auto act as a single integrated enterprise,” identify any documents supporting or refuting Your factual basis, and identify any individuals with information supporting or refuting Your factual basis.

9. Identify and describe the complete factual basis of Your allegation in paragraph 41 of the Amended Complaint that “Appleton Auto, Green Bay Auto, LaCrosse Auto, Antigo Auto, and Wausau Auto share management services, payroll services, managers, employees, business equipment, cars for sale, and other business services,” identify any documents supporting or refuting Your factual basis, and identify any individuals with information supporting or refuting Your factual basis.

10. Identify and describe the complete factual basis of Your allegation in paragraph 42 of the Amended Complaint that “Appleton Auto, Green Bay Auto, LaCrosse Auto, Antigo Auto and Wausau Auto all are owned and supervised by the same person or persons,” identify any documents supporting or refuting Your factual basis, and identify any individuals with information supporting or refuting Your factual basis.

11. Identify and describe the complete factual basis of Your allegation in paragraph 44 of the Amended Complaint that “Appleton Auto, Green Bay Auto, LaCrosse Auto, Antigo Auto and Wausau Auto all maintain a centralized source of authority for policies, procedures, and employment-related decisions,” identify any documents supporting or refuting Your factual basis, and identify any individuals with information supporting or refuting Your factual basis.

12. Identify and describe the complete factual basis of Your allegation in paragraph 45 of the Amended Complaint that “the integrated enterprise owned and operated by Scott

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McCormick has fifteen (15) or more employees for twenty (20) or more calendar weeks in 2017 and /or 2016,” identify any documents supporting or refuting Your factual basis, and identify any individuals with information supporting or refuting Your factual basis.

Dated this 22nd day of April, 2019.

By: Ryan M. Billings

Ryan M. Billings  
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*Attorneys for Defendants Appleton Auto, LLC, Applecars, LLC, and Robert Scott McCormick*

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## CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2019, I caused the above *Defendants' First Set of Interrogatories to Plaintiff*, to be served upon the following counsel for Plaintiff Shannon C.

Prince, by email:

Shannon D. McDonald, Esq.  
**MCDONALD AND KLOTH, LLC**  
1818 N. Farwell Ave.  
Milwaukee, WI 53202  
Telephone: (414) 403-2161  
E-mail: sdm@themklaw.com

Ryan M. Billings